

REMARKS

Applicant acknowledges with appreciation the Notice of Allowance of March 23, 2010.

Applicant recently received an Official Action from the Japanese Patent Office, which cited prior art references that were not made of record in the present application. An Information Disclosure Statement (IDS), which includes the Japanese Official Action and the cited references (along with English abstracts or corresponding English language documents) is filed with this amendment.

The present application has been amended to avoid a potential art rejection based on the newly cited references, and to place the application in condition for allowance.

A Request for Continued Examination is filed along with this amendment so that both the references of the IDS and the changes to the claims will be entered and considered.

Status of the Claims

Claims 10-30 remain pending in the application.

Independent claims 10, 24 and 30 are amended in a manner consistent with specification page 4, lines 1-5, i.e., said branched maltodextrins have a reducing sugar content of between 2 and 5% and a number-average molecular mass of between 2000 and 3000 g/mol.

The maltodextrins having a reducing sugar content of between 2 and 5% and a number-average molecular mass of between 2000 and 3000 g/mol correspond to Nutriose FB 06, which was the branched maltodextrin tested in the Rule 132 declaration of Philippe Lefevre filed May 13, 2009.

The declaration demonstrates that an advantage of the claimed branch maltodextrins is an improved granulation.

This advantage, however, is unexpected. The present specification explains on page 13, lines 1-4 and in Example 1 on pages 17-18 that the claimed branched maltodextrins are far more viscous in solution than conventional soluble fibers. This would have suggested to one of ordinary skill in the art that the higher viscosity would not naturally be intended for use as granulation binders (per the discussion under Table 1). However, as demonstrated in the declaration, the claimed branched maltodextrins are good binders for granulations.

Therefore, the present application is in condition for allowance. Allowance and passage to issue is respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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